UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,268	03/13/2001	Makoto Muraishi	826.1697/JDH	9108

21171   7590   09/17/2004

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
CHUONG, TRUC T

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 09/17/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 July 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
     application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☒ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. *11*.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to Amendment B, filed 7/14/04.

2.   Claims 1-14 are pending in this application. Claims 1, and 10-14 are independent claims.

In the Amendment B, claims 1, 10, 11, and 14 are amended. This action is made non-final.

3.   Applicant's arguments, see Amendment B, filed 07/14/04, with respect to Paper No. 9

have been fully considered and are persuasive. The Advisory Action of Paper No. 10 has been

withdrawn; therefore, this new rejection is based on the amended claims of the Amendment B.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-7, and 9-14 are rejected under 35 U.S.C. 102(b) as being anticipated by

Anodide et al. (EP 0 869 433 A2).

As to claims 1 and 14, Anodide teaches a test support apparatus for supporting a test of a

screen program using a graphic user interface, comprising:

a test support class generation unit (TDE, e.g., col. 3 lines 27-42, figs. 6-7) obtaining

screen definition information (capture basic information about the GUI software, col. 4 lines 36-

38, and col. 5 lines 46-47) defining a test target screen program (defining what kind of GUI

software (SUT) to be tested based on information about that GUI software, col. 4 lines 4-18, and

lines 36-50), and generating a test support class which is a subclass inheriting a class of the test

target screen program responsive to the screen definition information, and a class for testing the

test target screen program (capturing/calling information from the SUT to determine possible

variations of the GUI operations and input data, TDE will automatically generate a testing

module for testing the SUT, col. 4 lines 4-18, lines 36-50, and col. 8 lines 13-18); and

a test execution unit conducting a test of the test target screen program defined by the

screen definition information using the generated test support class to thereby test the screen

program using the graphical user interface (e.g., col. 5 lines 9-18, col. 5 lines 34-40, and figs. 6-

7).

As to claim 2, Anodide teaches the apparatus according to claim 1, further comprising a

test specification generation unit generating a test specification for the test target screen program

according to the screen definition information, and providing the test specification for said test

execution unit (input specification/parameters, col. 4 lines 43-45, col. 8 lines 37-39, and col. 13

lines 4-9).

As to claim 3, Anodide teaches the apparatus according to claim 2, further comprising:

a test report generation unit generating a test report using the test specification generated

by said test specification generation unit and a test execution result obtained by said test

execution unit (e.g., TDE provides a set of basic coverage reporting structures, col. 13 line 42-

col. 14 line 13, and fig. 9).

As to claim 4, Anodide teaches the apparatus according to claim 3, wherein said test

support class has a function of supporting input of input test data (e.g., col. 13 lines 3-10).

As to claim 5, Anodide teaches the apparatus according to claim 1, wherein said test

support class has a function of recording a test result obtained when a test is conducted (coverage

reports, col. 13 line 42-col. 14 line 13, and fig. 9).

As to claim 6, Anodide teaches the apparatus according to claim 1, wherein said test

support class has a function of visually indicating a test execution portion on a screen (TDE uses

capture/replay tools which permit the tester to record and playback the action on the interface,

col. 1 line 57-col. 2 line 13).

As to claim 7, Anodide teaches the apparatus according to claim 1, wherein said test

support class has a function of conducting a test using new input test data or input data about a

previous test execution result (any of the symbols and different elements can be inserted in to the

test, col. 12 lines 48-49, col. 13 lines 3-10, and col. 14 lines 29-35).

As to claim 9, Anodide teaches the apparatus according to claim 1, wherein said test

support class has a function of supporting measurement of performance of the test target screen

program (Coverage Summary of fig. 9).

As to claim 10, this is a method claim of the apparatus claim 1. Note the rejection of

claim 1 above.

As to claim 11, this is a computer program product claim of the apparatus claim 1. Note

the rejections of claim 1 above.

As to claim 12, this is a computer program product claim of the apparatus claims 1 and 4.

Note the rejections of claims 1 and 4 above.

As to claim 13, this is a system claim of the apparatus claims 1 and 4. Note the rejections

of claims 1 and 4 above.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claim 8 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under

35 U.S.C. 103(a) as obvious over Anodide et al. (EP 0 869 433 A2).

As to claim 8, Anodide teaches the apparatus according to claim 7, wherein said test

support class has a function of displaying a <u>actual result(s)</u> to perform comparisons (col. 15 lines

26-36) when an execution result of a test conducted using the input data about the previous test

execution result is different from the previous test execution result. The actual test result(s) itself

is a warning display for comparing the testing results because Anodide's system performs the

output validation when comparing the expecting results and previous results (col. 15 lines 26-

36); therefore, some type of indications in the test result(s) must be provided to the tester for

recognition; and if the indication is not a warning message, it is well known and would have

been obvious to modify the test result(s) of Anodide to display the warning indications to

visualize errors during testing.

Response to Arguments

Applicant's arguments with respect to claims 1-14 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Parker et al. (U.S. Patent No. 5,781,720) teach GUI, simulated user events, and

perform the actual interfaces form the test environment (col. 2-36 and figs. 8-9).

Rodrigues et al. (U.S. Patent No. 6,069,639) teach I/O fields for testing

application programs, DLL, and function calls (cols. 2-18 and figs. 9-11).

Connell (U.S. Patent No. 5,596,714) teaches test GUI based programs, I/O test

fields, parameters, and identify screen (cols. 2-12 and figs. 5-6).

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753, and

starting October 2004, a new telephone number will be 571-272-4134. The examiner can

normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.
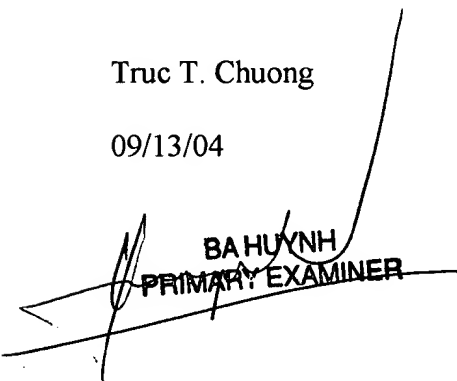
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather R. Herndon can be reached on 703-308-5186, and starting October 2004, a

new telephone number will be 571-272-4136. The fax phone number for the organization where

this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

09/13/04

BA HUYNH
PRIMARY EXAMINER